IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No. 3831 of 2007

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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GUNVANTBHAI NANALAL PATEL - Applicant(s)
Versus
STATE OF GUJARAT - Respondent(s)

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Appearance :
MR KARTIK V PANDYA for Applicant(s) : 1,
MR AY KOGJE APP for Respondent.

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 17/04/2007

ORAL JUDGMENT

Rule. Learned Additional Public Prosecutor Shri Kogje waives service of rule on behalf of respondent-State.

2. Having heard learned advocate Shri Lakhani for Shri Karthik Pandya for the applicant, I find that it is not possible to deviate from earlier orders passed by my predecessor in case of other co-accused involved in the same criminal case.

3. By an order dated 23rd February, 2007 passed in Criminal Misc. Application No.674 of 2007, this Court had provided that the applicant therein if arrested in connection with the complaint in question, the police authorities shall present him before the Court on the same day and the concerned Court shall consider and dispose of the application for regular bail that may be preferred by the applicant on the same day.

4. The applicant herein was the Mamlatdar during whose tenure the alleged offences had taken place.

5. Considering that in similar cases under similar circumstances that Court had adopted the above modality, this application is also disposed of by giving similar directions.

6. The applicant if arrested by the police authorities pursuant to C.R.No.II-120 of 2005 dated 16.11.2005 filed before Dabhoda police station, the applicant shall be produced before the concerned court on the same day. If the applicant prefers an application for regular bail, the same shall be considered by the court also on the same day.

7. With these directions, the Misc. Criminal Application is disposed of. Rule is made absolute in above terms. Needless to say it is always open for the police authorities to resist the bail application and request for remand.

Direct service is permitted.

[AKIL KURESHI, J.]

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